

CLASSIFICATION OFFICE DECISION

Title of publication: 000242_Carved

Other known title(s): Not stated

OFLC ref: 2000330.011

Medium: Image File

Maker: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 25 November 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 25 November 2020

Summary of reasons for decision:

‘0000242_Carved’ is a tightly framed voyeuristic image looking down on a female’s cleavage and upper breasts. Consideration has been given to whether the youthful subject presents as a young person and the Classification Office has concluded that she does not. Nor is there anything about the image that encourages the viewer to regard her as such. Therefore it would be unreasonable to conclude that she is a young person. Whilst the depiction of female breasts is not inherently sexual, the publication invites a sexual gaze due to its voyeuristic tone. However, it is not overtly sexual and while it may be momentarily startling it is unlikely to cause injury to the public good. Therefore the image does not warrant a restriction on its availability and it is classified as unrestricted. This classification places no limitation on the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990.